

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

LA UNIÓN DEL PUEBLO ENTERO, *et al.*,

Plaintiffs,

v.

GREGORY W. ABBOTT, *et al.*,

Defendants.

Civil Action No. 5:21-cv-844 (XR)
(Consolidated Cases)

UNOPPOSED MOTION FOR EXTENSION OF TIME
TO RESPOND TO MOTION TO DISMISS

Plaintiff the United States of America respectfully requests pursuant to Federal Rule of Civil Procedure 6(b) that the Court extend the date for the United States to respond to the motion to dismiss by Defendants the State of Texas and Secretary of State John Scott to January 18, 2022, and extend the date for Defendants to file a reply to February 1, 2022. The parties have conferred regarding this request and agreed to the proposed briefing schedule.

The United States filed its Complaint in this action on November 4, 2021. Compl., *United States v. Texas*, 5:21-cv-1085 (W.D. Tex.), ECF No. 1. Defendants' response was initially due on November 26, 2021. *See* Fed. R. Civ. P. 12(a)(1)(A)(i). The United States consented to the State's request for a one-week extension of that deadline, *see* Tex. Mot. to Extend, ECF No. 128, and then filed an Amended Complaint on November 30, *see* Am. Compl., ECF No. 131. Defendants filed a motion to dismiss on December 14, 2021. Mot. to Dismiss, ECF No. 145. By default, the deadline to respond to Defendants' motion is December 28, 2021. *See* L.R. CV-7(D)(2).

Good cause exists to extend the United States' response deadline to January 18, 2022, in light of the upcoming holidays and travel schedules of counsel, so that the United States may properly prepare an opposition brief. Defendants do not oppose the requested extension. In turn, the United States does not oppose Defendants' request to file a reply on February 1, 2022, an additional week beyond the default deadline. *See* L.R. CV-7(E)(2). Neither the United States nor Defendants will be prejudiced by the requested relief.

DATE: December 17, 2021

Respectfully submitted,
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Principal Deputy Assistant Attorney General
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/s/ Michael E. Stewart
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CERTIFICATE OF CONFERRAL

Pursuant to Local Rule CV-7(G), I hereby certify that on December 16, 2021, counsel for the United States conferred by email with counsel for Defendants the State of Texas and Secretary of State John Scott regarding this request. Defendants do not oppose the requested relief.

/s/ Michael E. Stewart

Michael E. Stewart

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CERTIFICATE OF SERVICE

I hereby certify that on December 17, 2021, I electronically filed the foregoing with the Clerk of the court using the CM/ECF system, which will send notification of this filing to counsel of record.

/s/ Michael E. Stewart

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